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# FCC-MAILROOM

# BEFORE THE FEDERAL COMMUNICATIONS COMMISSION WASHINGTON DC 20554

IN THE MATTER OF:	)	
	)	
AMENDMENT OF SECTION 73.202(b)	)	MM Docket No.
TABLE OF ALLOTMENTS	)	RM
FM BROADCAST STATION	)	<del></del>
(POWERS, OREGON)	)	

TO: Chief, Audio Division Media Bureau

#### PETITION FOR RULEMAKING

Mikel Chavez ("MC") hereby requests an amendment to the FM Table of Allotments, 47 CFR §73.202(b), to add a new FM allotment for Channel 293C2 (106.5mhz), at Powers, Oregon. The allocation would provide the first local broadcast service to the community.

#### I. ARGUMENT

#### A. Powers in a City Worthy of an FM Allotment

Powers is an incorporated city with a permanent resident population of 734 persons.<sup>1</sup> It has it's own city council, fire department, police department, post office, water supply system, waste treatment system, library, and school district - including K-12 public schools. The U.S. Forest Service has offices in the city, and is the largest employer. Powers has public, private, religious, and retail services associated with an independent city. Powers has its own zip code and telephone prefix.

12000 Census

No. of Caulos rectd 0+4
List ABODE MB 04-152

#### B. Powers Would be Provided First Local Broadcast Service

Powers is one of only two incorporated cities in Coos County that do not yet have a broadcast station. Allotting an FM station to Powers, Oregon, is clearly in the public interest, and consistent with the Commission's mission to give highest priority to providing first local transmission services.

#### II. TECHNICAL ANALYSIS

Channel 293C2 can be allocated to Powers, Oregon, without a site restriction, but the applicant has opted to use a developed site at 42:57:32N, 124:16:23W. This site is approximately 18km from Powers. The **Allocation Map** in the attached Engineering Statement clearly shows that the entire city of Powers would easily be contained within the 70dbu theoretical/circular contour. Powers would also be easily contained within the 70dbu contour of an actual facility built at this site, with terrain taken into account. The primary (60dbu) contour would provide service to 60,943 persons<sup>2</sup>. None of the primary coverage area is within a Census-Designated Urbanized Area. The **Allocation Study** contained in the attached Engineering Statement shows that this site is full spaced to all other facilities.

<sup>&</sup>lt;sup>2</sup>2000 Census

#### III. CONCLUSION

Grant of this Petition is in the public interest because Powers, Oregon would be provided with its first local broadcast service, with nearly 61 thousand persons served. If the proposed channel is added to the FM Table of Allotments, MC hereby states an intent to file an application for a construction permit, and if granted, to construct the station.

Respectfully Submitted Mikel Chavez, Petitioner PO Box 400 Coquille, Oregon 97423 (541) 396-3191

## **AFFIRMATION**

I hereby certify that the statements contained in the preceding Petition for Rulemaking are true, to the best of my knowledge and ability.

Signed

Mikel Chavez, Petitioner

Box 400

Coquille, Oregon 97423

(541) 396-3191



QT-PL Race, Hispanic or Latino, and Age: 2000

Data Set: Census 2000 Redistricting Data (Public Law 94-171) Summary File

Geographic Area: Powers city, Oregon

NOTE: For information on confidentiality protection, nonsampling error, and definitions, see http://factfinder.census.gov/home/en/datanotes/expplu.html.

	All ages		18 years and over		
Subject	Number	Percent	Number	Percent	
RACE					
Total population	734	100.0	557	100.0	
One race	671	91.4	522	93.7	
White	617	84.1	484	86.9	
Black or African American	O	0.0	0	0.0	
American Indian and Alaska Native	48	6.5	33	5.9	
Asian	4	0.5	3	0.5	
Native Hawaiian and Other Pacific Islander	1	0.1	1	0.2	
Some other race	1	0.1	1	0.2	
Two or more races	63	8.6	35	6.3	
HISPANIC OR LATINO AND RACE					
Total population	734	100.0	557	100.0	
Hispanic or Latino (of any race)	17	2.3	10	1.8	
Not Hispanic or Latino	717	97.7	547	98.2	
One race	656	89.4	514	92.3	
White	607	82.7	478	85.8	
Black or African American	0	0.0	O	0.0	
American Indian and Alaska Native	44	6.0	32	5.7	
Asian	4	0.5	3	0.5	
Native Hawaiian and Other Pacific Islander	1	0.1	1	0.2	
Some other race	0	0.0	0	0.0	
Two or more races	61	8.3	33	5.9	

(X) Not applicable

Source: U.S. Census Bureau, Census 2000 Redistricting Data (Public Law 94-171) Summary File, Matrices PL1, PL2, PL3, and PL4.

# Powers Public Schools #3



High School Hill Road P.O. Box 479 Powers, OR 97466 psd@powers.k12.or.us Phone: 1-541-439-2291 - Fax: 1-541-439-2875



The Powers School District #31 is a K-12 School. Our elementary school is a K-6 school, while our high school is a 7-12 school. We have approximately 170 students in our school district.











Senior Projects



Athletics



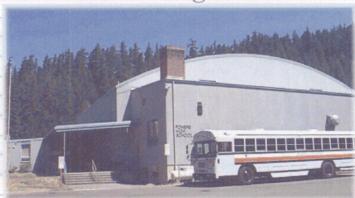
Information



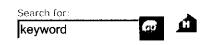








[Home] [Staff] [CAM] [Senior Projects] [Athletics] [Information]



#### **Assisting Communities**

**Assisting Communities Links** 

**Assisting Businesses** 

**Assisting Communities** 

**About Us** 

#### **Powers Community Profile**

PO Box 250, 275 Fir Street, Powers, OR 97466 Phone 541-439-3331 • Fax 541-439-5555 · E-Mail: powersch@ucinet.com

#### **City Location**



County(ies): Coos Incorporated in

Location: Southwest Oregon

Nearest Major Highway and Distance:

Hwy 101 | 38 miles

**Nearest Major City and Distance:** 

Coos Bay | 42 miles, Estimated Drive Time:

1 hour

Distance to Portland: 214 miles

Source: Oregon Department of Transportation, State of Oregon Map; Oregon Blue Book

#### **Recreational Amenities**

Powers County Park and Lake, White Cedar Days, Coquille River, Glendale/Power Bike Trail, Siskiyou National Forest, Powers Pioneer House and Powers Railroad Museum, Powers Orchard Park, Agness and Rogue River (about 1 hr. 15 min away), state and county parks within the county.

Planning a vacation or a tour through an area of Oregon? Visit the Oregon Tourism Commission's web site at http://www.traveloregon.com/ for more information.

Source: City Administration, local chamber of commerce, local convention and visitor bureau

Climate

Elevation: 230' Measurement Location: Powers

Temperature:

Monthly Ave. Low: 36°F Monthly Ave. High: 69°F Hottest Month August Coldest Month January Wettest Month December Driest Month July

Average annual precipitation: 59.990"

Information in the Community Profiles was derived from many sources, including local, state and federal sources. The Oregon **Economic and Community** Development Department cannot accept responsibility for errors or omissions. Questions and comments may be directed to the department by telephone 503-986-0123, by fax 503-581-5115 or by email oedd.info@state.or.us.

#### **Profile Topics**

Climate Population Community Age Groups Housing Industries and Products Demographic Data 5 Largest Employers **Economic Development Orgs** Education Financial Institutions Taxes **Business Taxes** Public Safety Community Communications Planning/Zoning

#### Infrastructure/Transportation

Water Supply

Wastewater Treatment System

**Utilities:** 

Telecommunications Natural Gas & Electrical

Transportation

Profiles Home Page

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Humidity (Hour 10, local time):

Average July afternoon humidity: 36% Average January afternoon humidity: 69%

Source: Oregon Climate Service

#### **Demographics**

Population											
	1980	1990	1998	1999	2000	2001					
City of Powers	819	682	665	720	734	730					
Coos County	64,047	60,273	61,400	61,350	62,779	62,950					

Sources: 1980, 1990, 2000 US Census; 1998, 1999, 2001 Center for Population Research and Census, Portland State University. 0 indicates data is unavailable.

Coos County

1,629 sq 39 persons/sq miles mile Sources: figures based on 2001 PSU population

estimates;

Oregon Bluebook county

square mileage

#### **Community Age Groups**

Under 5 years	<b>1970</b> 0	<b>1980</b> 0	<b>1990</b> 46	<b>2000</b> 38
5-19 years	0	0	148	152
20-44 years	0	0	188	182
45-64 years	0	0	147	202
65+ years	0	0	165	160
Median Age	0	0	39	44.7

Source: US Census, 0 or N/A indicates data is not available. Median value is the middle value, not an average. **Housing** 

Total Housing Units	1970	1980	1990	2000	Median Value of Owner-Occupied Housing, 2000
City of Powers	250	325	375	408	\$52,300
Coos County	19,948	32,324	26,668	29,247	\$98,900

City of Powers 2000 Housing Breakout:

Also visit Housing and Community Services Web Site:

Vacancy Rate: 16.18% Median Owner Cost http://www.hcs.state.or.us/
Owner 3,185 (mortgaged): \$638
Occupied: 2,075 Median Gross Rent: \$375

Source: US Census. Median value is the middle value, not an average.

#### **Economic Development and Employment**

#### Principal Industries of the County(ies):

Coos County-Wood products, fishing, tourism, agriculture

Source: Oregon Employment Department, Covered Employment and Payroll Reports, 1998

#### Agricultural Products of the Area (Top 3 largest gross farm sales):

Coos County-Specialty products, dairy products, small fruits and berries

Source: Oregon State University, Extension Economic Information Office

#### **Total Number of Manufacturing Companies in the County:**

Coos County 212

Source: Oregon Employment Department, Covered Employment and Payroll Reports, 1998

#### **Total Number of Manufacturing Companies in the City: 2**

Source: City Administration

Economic Indicators									
	Coos C	ounty							
	2001	2002	2000	2001	2002				
Population	62,950	62,650	3,421,399	3,471,700	3,504,700				
Labor Force	26,678	27,565	1,802,938	1,793,773	1,840,133				
Total Employment			1,715,453	1,679,914	1,701,390				
Unemployment	2,193	2,316	87,485	113,859	138,743				
Unemployment Rate	8.2%	8.4%	4.9%	6.3%	7.5%				
Non-Farm Payroll Employment	20,620	21,100	1,606,800	1,596,100	1,572,500				
Total Covered Employment	20,821	20,873	1,607,944	1,596,943	1,573,083				
Total Covered Payroll (\$ thousands county/ \$ millions state)	\$533,785	\$557,948	\$52,701	\$53,021	\$52,989				
Ave. Annual Payroll Per Employee	\$25,637	\$26,731	\$32,776	\$33,202	\$33,684				
Number of Business Units	1,859	1,867	108,432	111,353	113,097				
Total Personal Income (\$ millions)	\$142,151	\$149,870	\$94,999	\$98,500	\$101,358				
Annual Per Capita Personal Income	\$	\$23,937	\$27,649	\$28,400	28,792				
Assessed Value of Property (\$ millions)	\$0	\$3,602	\$198,911	\$210,435	\$219,878				

Value (\$ thousands)	28		19,877	21,049	22,18
	\$3,281	. ,	•	\$2,985	\$3,34
ravel Expenditures (\$ millions)		\$136,800			\$6,20
ravel-Related Employment	0	2,540	89,800	91,100	90,20
Preliminary Data Sources: Oregon Employment Department;	Center for Popu	lation Resear	ch & Census	PSH-IIS C	ensus
ureau; Bureau of Economic Analysis; Oregon To conomic and Community Development Departm	urism Commissio				
5 Largest Employers, Pub	lic and Priva	te as of Se	eptember,	2000	
Employer—Product/Service			Number of Employees		
JS Forest Service—Government			28		
Rose City Wood Products—Lumber; Pallet Sto	ck		10		
Nolverine Wood Products Co.—Millwork			2		
_		e Malantaine, es recentaine en e	···		
iource: City Administration					
Oregon Employment Labor Market In					
	nt Department,				
Dregon Employment Labor Market In This link takes you to the Oregon Employmen information can be obtained here. http://olm	nt Department, nis.emp.state.or	.us/—Click o	n Regional I	nformation.	
Oregon Employment Labor Market In This link takes you to the Oregon Employmen information can be obtained here. http://olm	nt Department, nis.emp.state.or	.us/—Click o	n Regional I	nformation.	
Dregon Employment Labor Market In This link takes you to the Oregon Employment information can be obtained here. http://olm  Local and Regional Eco	nt Department, nis.emp.state.or	.us/—Click o	n Regional I	ons 541-	439-333
Dregon Employment Labor Market In This link takes you to the Oregon Employment information can be obtained here. http://olm  Local and Regional Eco City of Powers  CCD Business Development Corporation—http	nt Department, nis.emp.state.or	.us/—Click o	n Regional I	ons 541-	
Dregon Employment Labor Market In This link takes you to the Oregon Employment information can be obtained here. http://olm  Local and Regional Eco City of Powers  CCD Business Development Corporation—http	nt Department, nis.emp.state.or	.us/—Click o	n Regional I	541-7	439-333 

Source: City Administration, local chamber of commerce, Oregon Economic and Community Development Department

#### Education/Workforce

#### Public and Private Schools K-12

#### **Public School District:**

Powers School District 31 High School Hill Rd PO Box 479

Powers, OR 97466-0479 Phone: 541-439-2291 Fax: 541-439-2875

Web site: http://www.powers.k12.or.us/

E-mail: psd@powers.k12.or.us

#### **Staff and Enrollments:**

District Certified Staff: reported October 2000—16
Total District Enrollment: reported October 2001—152

#### Other Schools in the School District (Private, Parochial)

To see if there are private and/or parochial schools in this district please visit http://www.ode.state.or.us/pubs/directory/

Source: Oregon Department of Education

#### **Oregon Community Colleges and Public Universities**



For a list of public and private educational institutions in Oregon visit <a href="http://www.oregon.gov/index.cfm?">http://www.oregon.gov/index.cfm?</a> CurrPID=505. Alcoholic Beverages—Manufacturers and/or import wholesalers of malt beverages and wines pay a privilege tax. Manufacturers, wholesalers and retailers of distilled spirits, malt beverages and wines pay license fees. Employees who serve alcoholic beverages pay for service permits. For more information contact the Oregon Liquor Control Commission, PO Box 22297, Portland, OR 97222, 503–872–5000 or 1–800–452–6522 (in Oregon), web http://www.olcc.state.or.us/.

Tobacco Products—Cigarette and tobacco products distributors are required to purchase tax stamps for cigarettes or pay a percentage of the wholesale price on other tobacco products. More information from the Oregon Department of Revenue, web http://www.dor.state.or.us/.

Transit Payroll Tax-paid by employers in the Tri-Met (Portland area) and Lane Transit District (Eugene) for mass transit systems. Administered by the Department of Revenue, web http://www.dor.state.or.us/.

Many local governments in Oregon collect other taxes, such as hotel-motel taxes. Contact the city or county in which you are interested for more complete information about taxes in that area.

Source: Oregon Department of Revenue, "A Summary of Taxes," January 2002; County information–County Assessor's Office

#### **Community Services and Resources**

#### **Public Safety/Emergency Services**

Fire Station(s) serving community: Powers Fire Department, 1 station

Number of paid and volunteer firefighters: 19\*\*
Rating by Insurance Services Organization (ISO): 5\*

Comments: 2000 data; \*ISO rating and number of firefighters unreported-last reported numbers

Source: Oregon State Fire Marshal, Oregon Fire Service Resource Directory 2000

Police Department: Powers Police Department Number of paid and reserve officers: 1\*\*\*

Comments: \*\*City of Powers - 0 paid, 16 volunteer, and three EMT for ambulance. \*\*\*Police Dept. has

four reserve officers.

Nearest Hospital and distance: Coquille Valley Hospital, 32 miles in Coquille Regional Hospital and distance: Coquille Valley Hospital, 32 miles in Coquille

Emergency services to community: Ambulance Service

General Clinic(s): 1

Source: City Administration

Communications Resources
Local Newspapers: Myrtle Point Herald

Regional Newspapers: The World - Coos Bay

Radio Stations: KWRO, KSHR, KDYK, KBBR

TV Stations: KVAL, KCBY, KOIN

Available Cable Television: Falcon Cable

Telephone Service Provider(s): VERIZON

Local Internet Service Provider(s): Yes

Number of Internet Service Providers: 6 approx.

Source: City Administration

#### **Library System**

1 public library

Source: City Administration

Planning Service/Regulatory

Regulatory System	Year Acknowledged	Year Last Revised	Year of Periodic Review	Comments
Comprehensive Plan	1982	1996	2005	
Zoning Ordinance		1997		
Building Permit System				Provided by State.
Subdivision Ordinance				
Strategic Plan				

# Territory Covered by Zoning Municipality Yes County No

Source: City Administration

#### **Industrial Lands**

#### Does the Community seek industrial development? Yes

Access Statewide industrial lands database—http://indlands.econ.state.or.us/indsites

Source: Economic and Community Development Department

#### Special Districts and Associations (ports, water, sewer, etc.)

#### Name of Special District and the Oregon Revised Statute it was created under:

Coos County E.S.D.; Coos County Library Service District; Port of Coquille River; Powers Health District; Powers School District; Southwestern Community College; Coos County 4-H Coos County Extension; City of Powers

Special Districts Association of Oregon-727 Center St., NE Salem, OR 97301, 503-371-8667 or 800-285-5461 http://www.sdao.com/

Source: City Administration

#### Infrastructure/Transportation

#### Water Supply

Operator: City of Powers

District: N/A

Source: Surface Water; Coquille River

Supply: Treated; Capacity (MGD)-0.5; Pressure (PSI)-50

Current Water Utilization on Meter Size (MGD): 0.12 MGD

Water Costs per thousand gallons: Base rate per/thousand = \$24.00/month plus \$1/1000 gals over

4,000 gals.

Water Costs for Total Consumption of Residential: Based on 7,000 gallons = \$27.00. Hook-up fee

\$100.00

Age of Water System:

Water System Comment(s):

Compliance Issues: None

Water debt repayment included as part of tax assessment? No

Date of Current Master Plan: 1996

Plans for Upgrading or Expanding: New water intake and main to treatment plant planned for 2003.

Source: City Administration

WastewaterTreatment System

Operator: City of Powers Age of Wastewater Collection System:

District:

System Design Capacity (MGD): 0.3 MGD System Utilization (MGD): 0.1 MGD

Collection System Fees: \$20.00 Hook-up or Connection Fee: \$600.00

Access Fee or System Development Fee:

Comment(s) on Wastewater System:

Compliance Issues: Under MAD, because of sewer inflow and infiltration; sewer plant to be reviewed

after.

Date of Last Facility Plan:

Plans for Upgrade/Expansion:

Storm Drain: No Storm Water Discharge Fee:

Fees or issues related to storm drains: None

Source: City Administration

Utilities

Telecommunications

Is there access to broadband infrastructure? No T1 Data unavailable

If yes, check all that apply: Microwave Fiberoptic Satellite

Is there route diversity? No Cable Data unavailable

Cable Data unavailable

For Oregon Telecommunications information and resources, visit http://www.econ.state.or.us/telecom/.

Natural Gas-Provider: None

Lines and Feed:

Rate Structure:

Plans for Upgrade/Expansion:

Electrical-Provider: Pacific Power & Light

Lines and Feed:

Rate Structure #4 Residential: \$6.00/month + energy charge of \$.05402/kwh

#25 Commercial: minimum charge 10.00/month + 5.55/kw, 2.25/kwh over 15 kw demand charge + 5.0625 for first 3,000 kwh energy charge

#48 Industrial: \$250.00 + \$.50/kwh for 4,000 kw or less (over 4,000kw \$440.00 + \$.45/kwh). Billing demand charge for \$2.77 for each kwh + energy charge of \$.03275/kwh.

Plans for Upgrade/Expansion:

Solid Waste Management: Babe's Garbage Service

**Permit Status:** 

**Utility Expansion Plans: None** 

Utilities Source: City Administration: PGE information supplied by PGE. Note: We update utility rates once a year. Actual rates may change more often than that. For the most current rate for any carrier please consult the Public Utilities Commission web site at <a href="http://www.puc.state.or.us/commsion/default.htm">http://www.puc.state.or.us/commsion/default.htm</a> Click on the **Statistics 200x** label (x being the most recent year).

#### Transportation

Highways Hwy 242 N/S route, local access Transportation Access Fee: \$0

Community Air Service Yes Power Airport (private) If no local service, list closest

Air Facility

Air Passenger Service: No

Airport Freight Service: No North Bend Municipal Airport

Air Service Comments: Navigation Aids: NDB; VOR; Runway Dimensions: 13/31: 2,500' x 50'; Runway surface: turf (good

condition); Operations: 450/yr

Rail Service: No

Freight Service: No Passenger Service: No If no local service, list closest Rail Service: 50 miles

Marine No

Transportation issues which might confront development, such as non-attainment air shed,

**Public Transportation Comment:** 

Bus Service Available in the Community: No

Scheduled Bus Service Available: Buses Per Day:

Local Charter Services:

Distance to Nearest Bus Service: 50 miles

Trucking Service

Scheduled Freight Carrier Services: Yes

Overnight Express Parcel Service Available: Yes Overnight Express Mail Service Available: No

**Transportation Comments:** 

For more information relating to transportation topics please visit the Department of Transportation web site. Airports (maps and general information) http://www.tripcheck.com/About/airport.htm; Bicycle and Pedestrian Route information http://www.tripcheck.com/About/bicycle.htm; Public Transportation, bus and rail http://www.tripcheck.com/About/busrail.htm.

Source: City Administration, local chamber of commerce (proprietary information)

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This page last modified 8/8/2004.

# Brown Broadcast Services

Michael D. Brown, President 3740 S.W. Comus St. Portland, Oregon, U.S.A. 97219-7418
SBE Certified Senior Radio Broadcast Engineer office:503-245-6065 fax:245-5773 e-mail:mike@brownbroadcast.com

# ENGINEERING STATEMENT In Support of Petition for Rulemaking Channel 293C2, Powers Oregon Mikel Chavez, Petitioner

Mikel Chavez ("MC") hereby petitions the Commission to modify the FM Table Of Allotments, adding Channel 293C2 at Powers, Oregon, providing that community's first local service. The Table of Allotments would be amended as follows:

City	Current	<b>Proposed</b>		
Powers, OR	_	293C2		

As shown by the attached **Allocation Study**, the proposed reference coordinates are fully spaced to all other facilities. The attached **Allocation Map** shows that required 70dBu coverage is easily provided over the entirety of the city of license. An actual practical transmitter installation located at the reference coordinates would also provide 70dBu coverage over the entire city, with actual terrain taken into account.

The 60dbu primary contour would provide service to 60,943 persons, while the 70dbu principal community contour would provide service to 22,712 person.

[ ...

## **ALLOCATION STUDY**

PETITION FOR RULEMAKING ADD: 293C2 - POWERS, OREGON Site: 42:57:32N; 123:16:23W NAD27

Callsign	Latitude	Longitude	City	St S	ery Cha	annel	CI	Stat	Min	Clear	ERP	HAAT	Adj	Dist	Веа	Owner
KYSJ	N43:27:49	W124:05:44	COOS BAY	OR F	M 290	105.9	C2	LIC	58	-0.14	15.00	275	3rd Adj	57.86	14	LIGHTHOUSE RADIO GROUP
KCST-FM	N43:57:19	W124:04:26														COAST BROADCASTING CO., INC.
KBOY-FM	N42:27:11	W123:03:21	MEDFORD	OR F	M 239	95.7	C1	LIC	27	87.39	60.00	299	IF .	114.39	119	MAPLETON COMMUNICATIONS, LLC
KZZE	N42:21:13	W122:47:05	EAGLE POINT	OR F	M 292	2:106.3	C3	LIC	117	22.26	0.90	485	1st Adj	139.26	119	CITICASTERS LICENSES, L.P.

Note: KYSJ is fully spaced, with allowable rounding to the nearest kilometer

1

#### **Allocation Map**

Brown Broadcast Services, Inc. Job: POWERS NEW FINAL.fmj Master Database: 2004 Jul 21.fmd

Lat: N42:57:33 Lon: W124:16:19 NAD-27

Scale: 1:750000 Channel: 293 Class: C2

Status: Licensed, Construction Permit, Application, Addition Channels: Co-Channel, 1st Adj, 2nd Adj, 3rd Adj, IF, TV6

Range: 23 km, Clearance: -0.5km Comments: No Comments

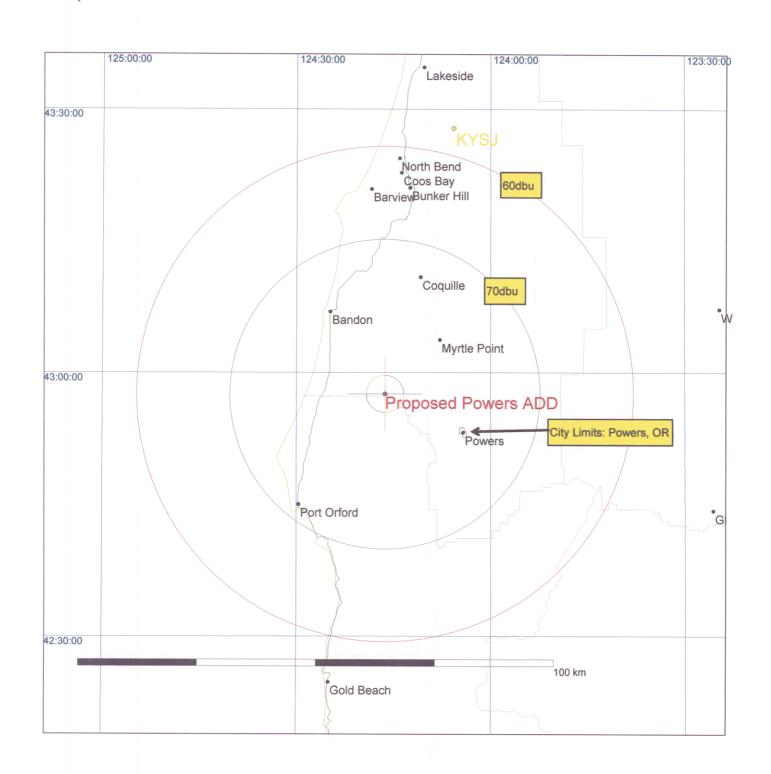
Description:

rfInvestigator Version 2.5.32 by rfSoftware, Inc.

Date: 8/8/2004 11:09:28 PM

Key:

City Grade Protected Co-Channel 1st Adj 2nd/3rd Adj



#### **AFFIRMATION**

Michael D. Brown hereby states that since 1985 he has been owner of Brown Broadcast Services, Inc., an Oregon Corporation, with offices in Portland, Oregon; that he has 30 years of professional experience as a radio engineer; that he has been FCC licensed as a First Class Radiotelephone Operator (now superseded by the General Class License) since 1974; that he has been certified as a Senior Radio Broadcast Engineer by the Society of Broadcast Engineers since 1990; and that he is qualified to prepare the technical data contained in this section.

Affiant further states that he has been retained by the Petitioner described herein to prepare the enclosed exhibits, and that he believes them to be a true and accurate representation of the facts as evident at the time of the measurements.

Michael D. Brown Brown Broadcast Services, Inc.

3740 SW Comus St. Portland, OR 97219

503-245-6065